

PATENT APPLICATION  
Docket No.: PATH03-13

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Keith G. Weinstock and David Bush

Application No.: 10/603,113 Group: 1646

Filed: June 24, 2003

For: Nucleic Acid and Amino Acid Sequences Relating to *Candida albicans*  
for Diagnostics and Therapeutics

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the  
United States Postal Service with sufficient postage as First Class Mail in  
an envelope addressed to Commissioner for Patents, Alexandria, VA

22313-1450

on 1-6-2004

Date

Signature

Jennifer Menard

Typed or printed name of person signing certificate

TRANSMITTAL SENDING COPY OF REQUEST TO USE COMPUTER READABLE  
SEQUENCE LISTING FROM PRIOR APPLICATION PURSUANT TO 37 C.F.R. §  
1.821(e) AND IN RESPONSE TO THE NOTICE TO COMPLY WITH  
REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE  
SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the Notice to Comply with Requirements for Patent Applications  
Containing Nucleotide Sequences and/or Amino Acid Sequence Disclosures dated  
November 6, 2003, please find additional copies of the following documents, originally  
filed with the application on June 24, 2003.

- Utility Patent Application Transmittal;
- Request to Use Computer Readable Form of Sequence Listing From Past  
Application Pursuant to 37 C.F.R. § 1.821(e);
- Preliminary Amendment; and
- Postcard receipt indicating that these documents were received at the U.S.  
Patent and Trademark Office.

01/12/2004 MBLANCO 00000014 501040 10603113  
01 FC:1202 216.00 DA

Also enclosed is the "Sequence Listing" in the form of Two (2) copies of a CD-ROM, as allowed in the changes to 37 C.F.R. §§1.821-1.825 as published in the Federal Register on September 8, 2000. The two copies of the CD-ROM are intended to serve as:

- (1) a compact disc copy of the Sequence Listing for the above- identified patent application as required by 37 C.F.R. §1.821(c) ("Copy 1"), the disc containing the ASCII file "PATH03-13.txt", recorded on January 6, 2004, and of 38,660 KB in size, in IBM-PC Windows®NT v4.0 format; and
- (2) a duplicate copy of the compact disc as required by 37 C.F.R. §1.52(e)(4) ("Copy 2"), the disc containing the ASCII file "PATH03-13.txt", recorded on January 6, 2004, and of 38,660 KB in size, in IBM-PC Windows®NT v4.0 format.

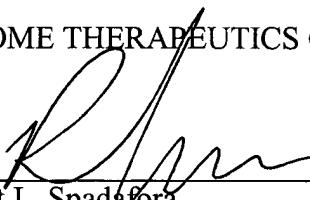
As required by 37 C.F.R. § 1.821(e), the undersigned hereby states that the content of the paper and compact disc copy of the Sequence Listing which was filed on February 12, 1999 in prior application Serial No.: 09/248,796 is identical to the current application and that this submission includes no new matter.

Applicant hereby gives authorization to charge Deposit Account No. 501040 in the amount of \$216.00 to cover the additional fees for the miscalculation of multiple dependent claims. Please charge Deposit Account No. 501040 for any additional fees that may be due in this matter. A copy of this letter is enclosed for accounting purposes.

It is believed that with the attached documents and in view of the above statements and further attached copies of documents, that all filing requirements are now met in this application.

Respectfully submitted,

GENOME THERAPEUTICS CORPORATION

By   
Robert L. Spadafora  
Registration No.: 46,197  
Tel.: (781) 398-2300  
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Waltham, MA 02453  
Date:

1/6/04



PATENT APPLICATION  
Docket No.: PATH03-13

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**COPY**

Applicants: Keith Weinstock and David Bush

Filed:

Title: NUCLEIC ACID AND AMINO ACID SEQUENCES RELATING TO  
*CANDIDA ALBICANS* FOR DIAGNOSTICS AND THERAPEUTICS

Date: *June 24, 2003*

EXPRESS MAIL LABEL NO. EL 442001379 US

REQUEST TO USE COMPUTER READABLE FORM OF SEQUENCE LISTING  
FROM PAST APPLICATION PURSUANT TO 37 C.F.R. § 1.821(e)

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

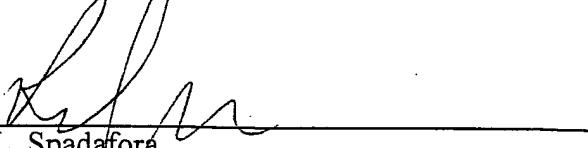
The computer readable form in the above-identified application is identical with that filed in parent application Serial No. 09/248,796 filed February 12, 1999.

In accordance with 37 C.F.R. § 1.821(e), Applicants' attorney respectfully requests that the computer-readable form filed in parent application Serial No. 09/248,796, be used as the computer readable form for the instant application. It is understood that the United States Patent and Trademark Office will make the necessary changes in the application number and filing date for the computer readable form that will be used for the instant application. No paper copy corresponding to the computer readable form is being submitted with this request as the Sequence Listing is more than 50 pages (i.e. the Sequence Listing submitted with the parent application consists of SEQ ID NO:1 to SEQ ID NO: 28,208).

Please charge Deposit Account No. 501040 for any additional fees that may be due in this matter. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

GENOME THERAPEUTICS CORPORATION

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Robert L. Spadafora  
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